

REMARKS

Claims 2, 5, and 15-27 have been cancelled. The Applicant has amended independent claim 1 to include the features of claim 2 and 5. Independent claim 13 was amended to include the features of claims 15 and 16. Dependent claim 12 was converted into an independent claim, incorporating the features of claim 1.

Rejections under 35 U.S.C. § 103

Claims 1-4, 7-9, 13, 17-20, 23-24, and 27 were rejected under 35 U.S.C. 102(e) as being anticipated by Wolfston, Jr. (U.S. Patent No. 5,815,155)("Wolfston"). The Applicants have reviewed the Examiner's comments regarding the lack of persuasiveness, and thus hereby submit this new amendment. In view of the new amendment to the claims, the Applicant respectfully submits that Wolfston does not disclose all of the features of amended independent claims 1, 12 and 13.

The Applicant has once again studied the teachings of Wolfston, and hereby submits that Wolfston fails to teach the newly defined claims. As mentioned previously, Wolfston defines a viewing and navigation scheme of an internet web site. (See, e.g., Wolfston, column 4, lines 17-22). The claims have been amended to specifically claim that the navigation scheme claimed is for a file system. File systems are not the same as webpages. By their very nature, web pages are created for specific web sites by web designers to create a look and feel for the presentation of data. The data, although can change when updates are made by the web designer or manager, is not managed in the same way as data rendered by a file system. As is known by the Office and by the virtue of some of the art of record, file systems manage files and folders in a manner that is made accessible to those wishing to "access" the data. However, the icons (e.g., files and folders) are not in themselves the "content" that a

user wishes to access and see or operate on. To the contrary, the user wishes to "open" a file or folder to then examine or work on data of the opened file or folder. The data presented by the navigation system of Wolfston is, in fact, the actual content data the user wishes to "see." For this reason, the user is provided with a second screen area (e.g., 148 of Figure 2c of Wolfston). The content of 148 is, in fact, the content that the user wishes to see when the "link" Horses For Sale was selected in screen 134. The user is shown clicking on "Draft", and that click (e.g., web navigation) will present the content shown in Figure 2d in 164. The content shown in Figure 2d is not associated with a file system.

In claim 1, in addition to incorporating the file system limitation into the body of the claim, the applicant has further elaborated on an embodiment of the updating step. Specifically, the step of updating said second display area further includes the steps of (1) determining whether said child node is a leaf node of said hierarchy, and (2) removing said second display area, if said child node is a leaf node. By the very nature of Wolfston, *links* will not be provided if the link does not lead the user to another web page. Consequently, Wolfston's teachings is lacking to suggest the removal of the second display area if the child node is a leaf node.

In claim 12 includes the limitations of original claim 1, with the added limitation of defining the file system. Additionally, claim 12 defines the further functionality of determining whether there is unused display space in said first display area. Wolfston does not account for this, as the first display area (e.g., 110, 160) does not shrink, but remains full size, irrespective of the content. Thus, Wolfston does not resize said first display area to eliminate said unused display space, nor does Woldston expand said second display area to include said unused display space. The remaining cited art of record also fails to suggest these newly added features.

Claim 13 also includes the file system limitation. Additionally, claim 13 defines that said first display area is limited to a maximum size, and further defines a scrolling mechanism that is activated when said first display area reaches said maximum size. Stated again, the *web-style* navigation of Wolfston is not concerned with setting maximums on display areas. Web pages are created will in advance, and when a website goes live, the content and its placement (e.g., through expected navigation paths) are predefined. If updates are made to the content, such as new horses for sale, the web designer or program would have to add the new entries to the web page. The user, can then "look" at the content itself, which is presented by way of the display regions of the website.

In view of the above distinctions and the clarifying amendments, the Applicant respectfully requests the Examiner to withdraw the rejections of record.

Claims 15-27 were cancelled, and thus, their rejections are rendered moot.

The Examiner's attention is drawn to the fact that this application is a **continuation** of prior U.S. Pat. No. **6,236,400**, which issued on May 21, 2001. Proper § 120 continuation was claimed on the transmittal on April 26, 2001. On page 1 of the transmittal, a request was made to amend the specification to include the following language in the specification:

"This is a continuation application of Serial No. 09/054,068 filed April 2, 1998."

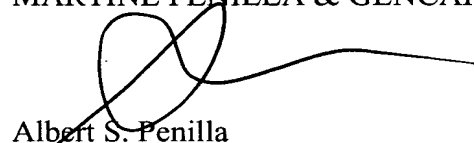
Since then, the application has issued, thus, the Applicant hereby includes an amendment to the specification to update the status. The claim of priority was timely made.

For further housekeeping, the Examiner is alerted to the fact that the transmittal also cancelled claims 2-27. However, the Office Action received from the Office did not account for this cancellation. The Applicant also did not account for this cancellation as the check box was not marked on the transmittal. The case was, however, examined for all claims 1-27 and the Applicant paid for all of the claims up to the original claims 1-27. Consequently, the cancellation on the transmittal was not correct, and should be ignored.

Application No. 09/844,258
Amendment dated August 31, 2005
Response to Office Action mailed June 1, 2005

In view of the foregoing, Applicant submits that these claims are in condition for allowance. Accordingly, a notice of allowance is respectfully requested. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at **(408) 749-6903**. If any additional fees are due in connection with the filing of this paper, then the Commissioner is authorized to charge such fees to Deposit Account No. 50-0805 (Order No. SUNMP060C).

Respectfully submitted,
MARTINE PENILLA & GENCARELLA, L.L.P.



Albert S. Penilla
Reg. No. 39,487

710 Lakeway Drive, Suite 200
Sunnyvale, California 94085
(408) 774-6903
Customer Number 32291